

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

EVERETTE LEE SMITH, )  
Petitioner, ) Civil Action No. 7:13-cv-00089  
 )  
v. ) **ORDER**  
 )  
UNITED STATES OF AMERICA, ) By: Hon. Michael F. Urbanski  
Respondent. ) United States District Judge

In accordance with the accompanying Memorandum Opinion entered on this day, it is  
hereby

**ORDERED**

that Smith's 28 U.S.C. § 2241 petition is **DISMISSED without prejudice** and this action is  
**STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send copies of this Order and the accompanying  
Memorandum Opinion to the parties.

Entered: April 16, 2013

*/s/ Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge